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4 Attorney for Plaintiffs

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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NORTH DAKOTA**

10 ESTATE OF LUKE M. LADUCER et al.,

11 Plaintiffs,

12 vs.

13 ESSENTIA HEALTH et al.,

14 Defendants.

No. 3:22-cv-00208-PDW-ARS

STIPULATION TO DISMISS KURT
KACZANDER, D.O. FRCP 41(a)(1)(A).

Date Filed: 12/02/2022

Trial: 10/29/2024

15 To: THE HONORABLE PETER D. WELTE AND THE HONORABLE ALICE R. SENECHAL, UNITED
16 STATES MAGISTRATE JUDGE:

17 WHEREAS,

18 Plaintiffs and Defendant Kurt A. Kaczander, D.O. ("Dr. Kaczander") have agreed that
19 Plaintiffs' claims against Dr. Kaczander shall be dismissed from this action without prejudice and
20 without an award of costs or disbursements to any party as a result of his dismissal. The other parties
21 have no objection to the voluntary dismissal of Dr. Kaczander and execute the stipulation pursuant
22 to Fed. R. Civ. P. 41(a)(1)(A)(ii), in order not to burden the Court with additional motion practice.
23 Defendants Cass County, Cass County Sheriff Jesse Jahner, Captain Andrew Frobig, and Conrad
24 Binsfeld, RN, do not waive any defenses or argument by executing the stipulation, including but not
25 limited to the defense and argument that the parties dismissed herein are liable or otherwise
26 responsible for Plaintiffs' lawsuit claims and claimed damages.
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1 Dated this 28th day of February, 2024.

2 **JDP. PC**

3 /s/ Jeff Dominic Price

4 BY: Jeff Dominic Price #165534

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8 ATTORNEY FOR ESTATE OF LUKE M.

9 LADUCER, BY AND THROUGH THE

EXECUTOR, DIANA DECOTEAU,

10 BROOKLYN LADUCER, BETTY LADUCER,

11 MELVIN LADUCER, AND R. A. L., A MINOR,

12 L. G. L., A MINOR, AND P. A. L., A MINOR,


13 BY AND THROUGH THEIR NEXT FRIEND

14 AND GUARDIAN AD LITEM, PAULETTE

15 SCHELLER

1 Dated this 28th day of February, 2024.

2 **BAKKE GRINOLDS WIEDERHOLT**

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14 CASS; JESSE JAHNER, CASS COUNTY
15 SHERIFF; CAPTAIN ANDREW FROBIG; AND
16 CONRAD BINSFIELD, R.N.
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1 Dated this 28th day of February, 2024.

2 **VOGEL LAW FIRM**

3 */s/ Angela E. Lord*

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1 Dated this 28th day of February, 2024.

2 **SERKLAND LAW FIRM**

3 */s/ Peter W. Zuger*

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